

REMARKS

Claim 7 is amended to recited “wherein at least one of the fin base plates comprises a through hole for the corresponding joint, and a notch connected with the through hole and having a width of approximately the same diameter as the through hole,” as supported on page 13, lines 1-5, and Fig. 9.

The present amendment adds no new matter to the application.

The Rejections

Prior Art Rejections

Claim 7 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Ohmi et al. (EP 0 622 667 A1) in view of Hishikari et al. (JP 63-138220).

Claims 9, 11, 13, 15, and 17 stand rejected under 35 U.S.C. §. 103(a) and unpatentable over Ohmi in view of Hishikari and in further view of Nelson (U.S. Patent 3,180,404).

Claim 19 stands rejected under 35 U.S.C. § 103(a) and unpatentable over Ohmi in view of Hishikari and in further view of Asanuma (U.S. 4,369,838).

Double Patenting Rejections

Claim 7 is rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1-10 of U.S. Patent No. 6,919,056 in view of Hishikari. Claims 9, 11, 13, 15, and 17 are rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1-10 of U.S. Patent No. 6,919,056 in view of Hishikari and in further view of Nelson. Claim 19 stands rejected on the grounds of nonstatutory obviousness-type double patenting over claims 1-10 of U.S. Patent No. 6,919,056 in view of Hishikari and in further view of Asanuma.

Claim 7 also stands provisionally rejected on the grounds of nonstatutory obviousness-type double patenting over claims 3-13 of U.S. Application No. 10/884,917 (now U.S. Patent No. 7,008,598) in view of Hishikari. Claims 9, 11, 13, 15, and 17 are rejected on the grounds of nonstatutory obviousness-type double patenting over the same application in view of Hishikari and in further view of Nelson. Claim 19 stands rejected on the grounds of nonstatutory obviousness-type double patenting over the same application in view of Hishikari and in further view of Asanuma.

Applicant's Arguments

In view of the present amendment, Applicants respectfully traverse the present rejections and request reconsideration and allowance of the remaining claims for the following reasons.

Prior Art Rejections

Regarding the prior art rejections, the independent claim is amended to recite the following new limitations: "wherein at least one of the fin base plates comprises (1) a through hole for the corresponding joint, and (2) a notch connected with the through hole and having a width of approximately the same diameter as the through hole." These features are not found in the prior art. They facilitate the easy mounting or removal of the heat dissipation unit without requiring removal of the joint (e.g., the supply gas connection). Because the prior art fails to teach the elements of the sole independent claim, Applicants respectfully request consideration and withdrawal of the rejection under § 103.

Moreover, regarding Hishikari et al. (JP 63-138220) (hereinafter "Hishikari"), Applicants maintain that the combination with Hishikari is inappropriate because there is no motivation to combine the references, and the field of art is not analogous. Regarding the

absence of a motivation to combine, Applicants refer to the arguments of Response (C) filed on March 13, 2006. Hishikari is directed at obtaining “a blackbody furnace below the vicinity of a room temperature [sic]” (English Abstract). The radiation fin 7 of in Hishikari acts to increase the cooling performance of the electronic cooling element 5 which is a Peltier device, intended to create temperatures around 0 °C. The nature of the problem addressed by Hishikari is strikingly different from that of the present invention, namely the cooling of a reaction chamber designed for operation at temperatures around 350 °C (see Specification, page 6, lines 8-14). Cooling to 0 °C is a different problem than cooling to 350 °C, and a blackbody furnace is different from a chemical reaction chamber. Accordingly, because the art of Hishikari is not analogous. There would be no suggestion to combine the references under § 103. For this additional reason *no prima facie* case of obviousness has been presented.

Because the references fail to teach all of the elements of the claims, and because Hishikari is not available for the combination under § 103, Applicants respectfully request reconsideration and withdrawal of the §103 rejections over the prior art.

Double Patenting Rejections

Regarding the double patenting rejections, Applicants have timely filed terminal disclaimers. Specifically, applicants have disclaimed the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of cited U.S. Patent No. 6,919,056 and U.S. Application No. 10/884,917 (now U.S. Patent No. 7,008,598). Thus, because these disclaimers fully address the nonstatutory obviousness-type double patenting rejections, Applicants respectfully request reconsideration and withdrawal of these rejections.


Conclusion

For all of the above reasons, claims 7, 9, 11, 13, 15, 17, and 19 are now in condition for allowance. Therefore, Applicants respectfully request reconsideration of the application and withdrawal of the rejections, and a prompt notice of allowance is earnestly solicited.

Questions are welcomed by the below signed attorney for the Applicants.

Respectfully submitted,

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